

**REMARKS/ARGUMENTS**

Reconsideration of this application is respectfully requested.

A recently noted typographical error has been corrected in claim 13. Otherwise, the claims remain as previously presented.

The rejection of claims 13-37 under 35 U.S.C. §103 as allegedly being made "obvious" based on Miloslavsky '259 in view of Kessler is respectfully traversed.

The applicant's claims are all directed to a network terminating unit (NTU) which receives digital data via a communications link having both (a) a signaling channel and (b) at least one data channel. As described in applicant's independent claim 13, the signaling channel operates to establish and control connections between the NTU and one or more data sources via that communications link so that data can be transferred from each data source to the NTU via a data channel. As the Examiner will recognize, an existing example of such a communications link is an ISDN communication link well known to those in the art.

However, applicant's claim is specifically directed to an NTU for use with such a communication link including, *inter alia*, a processor arranged to detect messages transmitted on the signaling channel that contain at least partial data of a predetermined type, the detected messages comprising sufficient information to enable the network terminating unit to establish how parts of data of the same predetermined type sent in separate messages are linked to enable the network terminating unit to reconstitute the data.

The Examiner paraphrases applicant's claim language relating to the processor and then simply alleges without further explanation that such is to be found at Miloslavsky page 21, paragraphs 241 and 246. However, Miloslavsky '259 does not even teach a network terminating unit of any relevant type -- i.e., one for use with a communication link having both a signaling channel and a data channel. Indeed, Miloslavsky is really directed only towards apparatus and method for use in a telephony call center so that internet protocol telephone and data communications can be coordinated. The cited paragraphs relate only to the apparatus depicted at Figures 21-22 which relate respectively to an email processing center (Fig. 21) and to an email-to-server adaptor (Fig. 22) that can be used in the email processing center of Fig. 21. Neither of these Figures (or the related text cited by the Examiner) teach any network terminating unit that is capable of interfacing with a communication link having both a signaling channel and a data channel. The Examiner has not identified the presence of such signaling/data channels -- nor is there any such teaching. For convenience, these two cited paragraphs are quoted in full below:

"[0241] **FIG. 22** is a block diagram of e-mail-to-CTI-server adapter **6110**. It includes an e-mail interface **6202** for sending data to and receiving data from e-mail server **6102**. Adapter **6110** also includes an information extractor **6204** for extracting relevant information from e-mails. Extractor **6204** contains a parser **6206** for parsing the content of the e-mails obtained from e-mail server **6102**. Extractor **6204** also contains a storage device for storing an algorithm **6208** which directs parser **6206** to extract appropriate information from the content of the e-mails in accordance with predetermined criteria. The extraction algorithm in extractor **6204** is changeable because the coding in algorithm **6208** could be changed. Examples of relevant information are:

...

[0246] Adapter **6110** also contains a deformatter **6214** that accepts data and commands from CTI-server **6130** and translate them to a form understood by e-mail

server **6102**. As explained below, router **6116** may send (via CTI-server **6130**) commands to e-mail server **6102**."

The secondary reference to Kessler does of course deal with an ISDN communication link. However, that has nothing to do with an NTU of the type claimed by the applicant capable of establishing how parts of data of the same predetermined type sent in separate messages might be linked so as to enable the NTU to reconstitute the data that was originally sent. The basic design of the ISDN communication network/link has of course been well known for many years. However, no one in the art has previously proposed a network terminating unit for use in an ISDN environment capable of reconstituting messages sent in multiple different parts, etc. as now proposed and claimed by the applicant. Contrary to the Examiner's allegation, Kessler does not teach any technique whatsoever for detecting parts of data of the same predetermined type sent in separate messages on the signaling channel to then be linked by an NTU so as to reconstitute data at the NTU, etc. Contrary to the Examiner's allegation, a standard NTU in the prior art capable of communicating using layer 3 protocol of an ISDN link could not reconstruct data sent in different portions, etc. in accordance with the applicant's claimed invention.

The claims are directed toward a network terminating unit (an exemplary embodiment being shown as item 111 in Figure 1). The attached definition for "network terminating unit" is taken from the web:

"a term used to describe a device attached to a telephone, computer, or other hardware that takes incoming signals over the phone line and transforms it (sic) into a signal that is compatible with the ISDN (integrated services digital network) service at a home or business. The opposite translation is performed for data being sent from the home or business. Each ISDN line within the home or business usually has its own unit, though there are options for suing a terminating unit from more than one ISDN line."

The Examiner suggests that Miloslavsky teaches a network terminating unit which comprises a processor, etc. However, there is no disclosure anywhere in Miloslavsky of any network terminating unit at all, let alone one including a processor -- nor a unit having the other features alleged by the Examiner to be present. Kessler similarly fails to teach a network terminating unit having the relevant features.

This is a significant distinction over the cited documents. None of the Examiner's arguments acknowledge the fact that the claims are directed to a network terminating unit and a method of operating a network terminating unit. None of the features identified by the Examiner corresponds, directly or indirectly, with applicant's NTU.

In view of the fundamental deficiencies of both of the references cited and relied upon by the Examiner, it is not believed necessary at this time to detail the additional deficiencies of these references with respect to dependent claims.

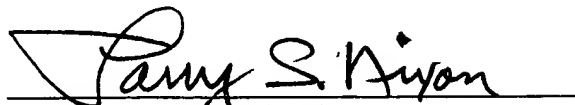
MALLET et al  
Appl. No. 09/936,176  
December 12, 2005

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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## Smart Computing® Dictionary

### network terminating unit

A term used to describe a device attached to a telephone, computer, or other hardware that takes incoming signals over the phone line and transforms it into a signal that is compatible with the ISDN (Integrated Services Digital Network) service at a home or business. The opposite translation is performed for data being sent from the home or business. Each ISDN line within that home or business usually has its own unit, though there are options for using a terminating unit for more than one ISDN line.

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